



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Lisza C. Wright (formerly Emmons)

Plaintiff,

vs.

Patricia A. Gibson and Beverly
L. Gravely,

Defendants.

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CIVIL ACTION NO. 8:03-2505-HFF-BHH

ORDER ADOPTING THE REPORT AND RECOMMENDATION OF MAGISTRATE

This matter is before the Court for review of the Magistrate Judge's report and recommendation ("the report") made in accordance with 28 U.S.C. § 636(b)(1) and Local Rule 73.02(B)(2) for the District of South Carolina.

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

U.S. Magistrate Judge Bruce H. Hendricks has filed a report and recommendation concluding that the Motion for Summary Judgment filed by Defendants be granted. The plaintiff was apprised of her right to file objections to the report and recommendation; however, she has filed no objections to the Report. In the absence of objections to the report of the magistrate judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

In light of the standard set out above, the Court has reviewed, *de novo*, the report of Magistrate Hendricks and finds that the report is proper. Therefore, the Court will accept the report and order that the Motion for Summary Judgment filed by Defendants be granted.

IT IS THEREFORE ORDERED that the report be accepted and incorporated herein, that the Motion for Summary Judgment be granted and all other pending motions in this matter be rendered moot.

IT IS SO ORDERED.

s/ Henry F. Floyd

Henry F. Floyd
United States District Judge

Spartanburg, South Carolina

June 13, 2005

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.